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SENSITIVE  
SIPDIS

STATE FOR VCI/CCA, EUR/RPM  
NSC FOR NILSSON, HAYDEN  
JCS FOR J5 NORWOOD, COL SMITH  
OSD FOR ISA (KEHL, WALLENDER)

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TAGS: [KCFE](#) [OSCE](#) [PARM](#) [PREL](#)  
SUBJECT: CFE/JCG JULY 21: RUSSIA PROVIDES ALLEGATIONS IN  
WRITING

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for Internet.

11. (SBU) Summary. At the July 21 Joint Consultative Group  
(JCG), Russia raised three issues which it urged delegations  
to reflect on over the summer recess: a response to the U.S.  
December 2008 document on the legality of Russia's  
"suspension"; the case for provisional application of A/CFE;  
and violations of group ceilings "by NATO." In contrast to  
past practice, Russia also attached the text of its  
allegations to the journal of the meeting. Belarus and  
Kazakhstan supported of Russia's call for the provisional  
implementation of the A/CFE, but were silent on Russia's  
other points. The UK, Germany, Slovakia, the U.S. and the  
Czech Republic did not engage Russia on the substance of its  
interventions, but called for movement towards entry into  
force of A/CFE on the basis of the parallel actions package,  
rather than to reflect on the past. End Summary.

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Russia Spares the Lecture, Gives Partners Homework  
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12. (SBU) Under General Statements, Russia (Ulyanov)  
introduced its response to the U.S. statement of 9 December  
2008 recorded in document JCG.JOUR/682, Annex 4 on the  
legality of the Russian "suspension" of CFE. Ulyanov did not  
read his five page document, but asked for it to be appended  
to the JCG Journal so States Parties could study it. He then  
pointedly demanded that the next time the U.S. wishes to make  
a statement about the legality of Russian "suspension," it  
must respond to the document being circulated.

13. (SBU) Ulyanov said NATO's position on provisional  
implementation of A/CFE was puzzling, as this was a sound  
solution that takes into account NATO concerns and provides  
Russia with an opportunity to suspend its moratorium or to  
even do away with it completely. Russia identified important  
questions that should be considered prior to provisional  
application of A/CFE; such as what specific legal problems  
could arise during provisional application? Can temporary  
implementation of A/CFE continue until A/CFE is fully  
ratified and EIF, or will it need to be renewed or continued?  
How would this renewal/continuance be accomplished? Ulyanov  
asked for partners to consider these questions and respond by  
the early part of the fall session either in the JCG, on the  
margins, in a bilateral format or in Russian embassies in  
their capitals. This document will also be appended to the

¶4. (SBU) Stating he was speaking in response to Germany and the UK's specific requests last week for detailed written information on the Russian allegations on the quantitative violations of the Treaty by "NATO states," Russia (Ulyanov) said he was surprised at this request. Russia already provided this information in various formats and venues. He then provided statistics in support of Russia's contention that new NATO states and their military capacities should be included in overall NATO holdings. Poland, Bulgaria, Hungary, the Czech Republic and Romania have exceeded their limitations. (Comment: We believe he meant that the addition of the TLE resulting from these states having joined NATO pushed NATO holdings past Western Group of States Parties group ceilings.)

¶5. (SBU) Russia went on to claim that according to 1 January 2007 data, group limits were exceeded for the following specified equipment and their actual holdings: BT - 5592 (30% overage); ACVs - 9829 (33% overage); Arty - 5177 (26% overage); CA - 1497 (22% overage); and AH - 531 (27% overage). In the Flank Areas, ACVs number 2691 (almost a 50% overage). Ulyanov stated these violations could be removed if A/CFE were EIF and if NATO complied with its Istanbul Commitments. With this backdrop of overages, Ulyanov declared allegations that Russia is in noncompliance with the CFE Treaty due to not allowing inspections as being "ludicrous". Russia then attached the text of this statement to the JCG journal.

¶6. (SBU) Ulyanov highlighted Russian Minister of Foreign Affairs Lavrov's comments in Corfu on the outcome of the

USOSCE 00000170 002 OF 003

Ministerial Meeting of the NATO-Russia Council. Regarding the CFE Treaty, Lavrov said that he would not describe it as in a deadlock or impasse. In response to Russia's package of proposals (Aide-Memoire), a number of countries have provided Russia with grounds for hope. Discussions are on-going and continuing because arms control is an important issue. We need to stop linking A/CFE issues with issues that bear no relevance to the Treaty itself. (See JCG Journal for full text.)

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Allies Label Russian Approach Backward-Looking  
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¶7. (SBU) The UK (Gare) thanked Russia for its attempt to answer the UK's two questions from last week, but speculated that the UK violations alluded to last week by Russia would not be addressed in the appended documents. Russia (Ulyanov) conceded that the violations are not national violations and acknowledged that nationally, the UK complies with the Treaty, as do all NATO states individually. The violations are group violations and, as the UK has been a NATO member for the last 60 years, it bears collective responsibility for the violations of the group.

¶8. (SBU) Germany (Schweizer) declared that it was already familiar with the figures Russia submitted at the Third REVCON, but wondered where the pertinent figures were that Germany requested last week. Schweizer wanted the real figures that Russia is using to make these allegations. Maximum holdings and limitations are divided into groups, but Russia is referring to specific holdings. From the German perspective, these holdings are below the ones that Russia claimed. Germany will analyze these figures, but conceptually the Russian figures calculated for NATO are based on "backward-looking" methods. Finally, Schweizer agreed with Russia's comments during the Third REVCON that A/CFE is the way ahead, not group maximum ceilings. Slovakia and the Czech Republic similarly called on Russia to be forward looking in order to get A/CFE EIF. Both recorded their support of the Parallel Actions Package and U.S.-Russian bilateral negotiations.

¶9. (SBU) The U.S. (Neighbour) replied to Russia by thanking Ulyanov for responding to Treaty partners' requests for more positions in writing. Neighbour highlighted that the U.S. sees these questions differently than Russia and referred to previous U.S. statements on these issues, as well as statements by other Treaty partners. However, a debate on whether the western group of SPs has exceeded limits under the old Treaty, or whether Russia's view is correct regarding the legalities of "suspension," is backward looking. What is needed now is to be forward looking and find a solution that allows all to ratify A/CFE. Neighbour underscored that the Parallel Actions Package is the only solution to the impasse.

To this end, the U.S. looks forward to the high level bilateral meeting in late-August or early-September.

¶10. (SBU) Russia (Ulyanov) responded to the U.S. intervention by clarifying that EIF of A/CFE would only partially relieve Russia's concerns. Ten years ago that would have been enough, however, today Russia is concerned with restoring the viability of arms control and EIF of A/CFE is not enough to do that. This could only be achieved by the agreement and adaptation of the Parallel Actions Package. Ulyanov then pointedly dismissed references he has heard calling this a NATO-Russia package ) in reality it is U.S.-Russian only package; NATO may have advised a bit, but did not have much to do with it. Russia doesn't want to look backwards; it simply sees the realities of the day and wants the violations dealt with. Comment: Ulyanov's unsubtle reference dismissing NATO participation in the package did not elicit any direct responses, but Allies around the table clearly appeared annoyed with these and Russia's other remarks, and told us so after the meeting. End Comment.

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USOSCE 00000170 003 OF 003

Cancellation of Meeting in mid-September

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¶11. (SBU) Due to the FSC's "Review of OSCE Documents on SALW and CA Conference" on 22-23 September, the Chairman (Belgium/Kenes) proposed cancelling the JCG scheduled for 22 September. This presumably will be agreed at the next JCG meeting on 8 September, also under the Chairmanship of Belgium.

Scott